

3A
10-9-01

CITY COUNCIL OF ALEXANDRIA, VIRGINIA

Regular Meeting
Tuesday, September 25, 2001 - - 7:30 p.m.

* * * * *

Present: Mayor Kerry J. Donley, Vice Mayor William C. Cleveland, Members of Council Claire M. Eberwein, William D. Euille, Redella S. Pepper, David G. Speck, and Joyce Woodson.

Absent: None.

Also Present: Mr. Sunderland, City Manager; Mr. Pessoa, City Attorney; Ms. Evans, Assistant City Manager; Mrs. Godwin, Assistant City Manager; Mr. Jinks, Assistant City Manager; Mr. Baier, Director of Transportation and Environmental Services; Ms. Davis, Director of Housing; Ms. Boyd, Director of Citizen Assistance; Ms. O'Regan, Director of Human Services; Mr. Neckel, Director of Finance; Ms. Whitmore, Director of Recreation, Parks and Cultural Activities; Fire Chief Hawkins; Ms. Chis, Director of Division of Family Services for Human Services; Public Information Officer Gordon; Mr. Powers, Director of Division of Community Programs for Human Services; Dr. Claiborn, Director of Mental Health, Mental Retardation and Substance Abuse; Mr. McCobb, Deputy Director, Transportation and Environmental Services; Mr. Caton, Legislative Director; Ms. Steele, Special Projects Coordinator; Mr. Smith, Principal Staff, Board of Architectural Review; Ms. Baker, City Engineer; Ms. Niebauer, Director of Office of Human Rights; Ms. Oviatt, Director of Office on Women; Deputy Police Chief Hilleary; and Lieutenant Butler, Police Department.

Recorded by: Ms. Susan K. Seagroves, Deputy City Clerk and Clerk of Council.

* * * * *

At 6:00 p.m. in the Council Workroom, there was a City Council Work Session on the United Way report *"Living from Paycheck to Paycheck, a Look at Alexandria's Working Poor."*

Mayor Donley provided opening remarks and introduced Alan Lomax, Chair of the United Way Human Services Committee and Member of the Economic Opportunities Commission.

Mr. Lomax explained that this study was a joint effort by the United Way and EOC. He gave an overview of the report and went over the report findings and the ten recommendations identified to address those issues.

Dr. Bettie Applewhite, Applewhite Research & Management Services, made a short presentation about her work with African-American males to prepare them for careers in the hi-tech field.

The Members of City Council participated in the discussion, along with Human Services Director O'Regan and City Manager Sunderland. The Mayor reported that he has already asked staff to start looking hard at the capital budget in light of those items that will have to be deferred due to shrinking revenue sources.

City Manager Sunderland stated that when we look at the recommendations, they all hit the revenue side. He reiterated that the City will have to (1) work with others to provide better coordination of services, (2) continue working in the legislative area, and (3) be aware that any expansion of services will have a financial impact. The City Manager stressed that the City is not going to have the luxury to pursue all these recommendations under the current economic conditions but will have to set priorities. Staff will have some fiscal projections to present at Council's retreat.

The work session was concluded at approximately 7:30 p.m.

(Material pertaining to this work session is on file in the office of the City Clerk and Clerk of Council and is incorporated as part of the record.)

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OPENING

The Meeting was called to Order by Mayor Donley, and the Deputy City Clerk called the Roll; all Members of City Council were present, with Vice Mayor Cleveland arriving at 8:30 p.m.

The Invocation was pronounced by Reverend Carla E. Thompson, Rector, Meade Memorial Episcopal Church.

3. **THERE BEING NO DISCUSSION**, upon motion by Councilman Euille, seconded by Councilwoman Pepper and carried unanimously by all those present, City Council approved the Minutes for (a) the Special Meeting of September 15, 2001 [in lieu of the Regular Meeting of September 11, 2001], and (b) the Public Hearing Meeting of September 15, 2001, as submitted. The voting was as follows:

| | | | |
|--------|-------|-----------|-----------------|
| Euille | "aye" | Cleveland | not yet arrived |
| Pepper | "aye" | Eberwein | "aye" |
| Donley | "aye" | Speck | "aye" |
| | | Woodson | "aye" |

4. **THERE BEING NO DISCUSSION**, upon motion by Councilman Euille, seconded by Councilwoman Pepper and carried unanimously by all those present, City Council received the report of the City Clerk dated September 19, 2001, which is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 9/25/01, and is incorporated herewith as part of this record by reference. The voting was as follows:

| | | | |
|--------|-------|-----------|-----------------|
| Euille | "aye" | Cleveland | not yet arrived |
| Pepper | "aye" | Eberwein | "aye" |
| Donley | "aye" | Speck | "aye" |
| | | Woodson | "aye" |

RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL

Councilwoman Pepper introduced some of the members of the T.C. Williams student council and commended them for their meaningful contributions in response to the September 11 tragedy. The students have raised over \$3600 for the Red Cross National Disaster Relief Fund by organizing a coin drive and ribbon sales. The Titans have proved they are proud to be Americans.

Councilman Euille brought up an article in *The Washington Post Style Plus* section of last Thursday, September 20, on perspectives from youth entitled "My Generation Growing Old Before We Really Grew Up." He explained that there was a very touching article by a senior at T.C. Williams, Tyler Randolph Boyd, entitled "In A Moment Minds Can Be Changed," a reflection of what happened on September 11, and he encouraged everyone to read it.

Councilwoman Eberwein recognized four other schools, though there may be others: Jefferson-Houston School for Arts and Academics, John Adams Elementary and Charles Barrett, which are also holding penny drives for the elementary school children to raise money for the Red Cross, and G.W. 8th graders organized a car wash where they raised \$1239 for the Red Cross.

5. Presentation of Proclamation Proclaiming October as Domestic Violence Awareness Month in the City of Alexandria.

(A copy of the proclamation is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 9/25/01, and is incorporated herewith as part of this record by reference.)

Councilwoman Pepper presented the proclamation.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilman Euille and carried unanimously by all those present, City Council endorsed the proclamation. The voting was as follows:

| | | | |
|--------|---------|-----------|-----------------|
| Pepper | "aye" | Cleveland | not yet arrived |
| Euille | "aye" | Eberwein | "aye" |
| Donley | "aye" | Speck | "aye" |
| | Woodson | "aye" | |

6. Presentation of Proclamation Declaring Saturday, October 6, 2001, as Art on The Avenue Day in the City of Alexandria.

(A copy of the proclamation is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 9/25/01, and is incorporated herewith as part of this record by reference.)

The proclamation was presented by Councilman Euille and Councilwoman Woodson.

WHEREUPON, upon motion by Councilwoman Woodson, seconded by Councilwoman Pepper and carried unanimously by all those present, City Council endorsed the proclamation. The voting was as follows:

| | | | |
|---------|-------|-----------|-----------------|
| Woodson | "aye" | Cleveland | not yet arrived |
| Pepper | "aye" | Eberwein | "aye" |
| Donley | "aye" | Euille | "aye" |
| | Speck | "aye" | |

7. Presentation of Proclamation Reaffirming Commitment to Racial Equality and Justice in the City.

(A copy of the proclamation is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 9/25/01, and is incorporated herewith as part of this record by reference.)

Mayor Donley presented the proclamation, stating that City Council is going to use every opportunity over the next few months to talk about our tolerance and celebration of diversity as an asset in this community and in this nation. Council firmly believes that in these times, given the particular events of September 11, that we need to, as leaders in the community, set the tone for what has to occur in this country because it has to start with us. The City of Alexandria will not tolerate discrimination, we will not tolerate acts of hatred, but we will value diversity and tolerance.

Without Objection, City Council endorsed the proclamation.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

CONSENT CALENDAR (8-12)

Without Objection, City Council removed docket item nos. 11 and 12 from the Consent Calendar and considered them under separate motions.

8. Receipt of the Following Resignations From Members of Boards, Commissions and Committees:

- (a) Alexandria Commission on Aging
Charles L. Cox

(A copy of the above resignation is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8(a); 9/25/01, and is incorporated herewith as part of this record by reference.)

9. Uncontested Appointments to Boards, Commissions and Committees:
 - (a) Alexandria Potomac Yard Design Advisory Committee
 - 1 Professional Skilled in Architecture
 - 2 Members Representing the Potomac Yard Area
 - 3 Representatives of Residential Neighborhoods and the Business Community
 - (b) District Home Board
 - 1 Representative From the City of Alexandria
 - (c) Northern Virginia Regional Park Authority
 - 1 Citizen Member
 - (d) Alexandria Public Health Advisory Commission
 - 1 Health Professional Member
 - 1 Non-Health Professional Member

(Material pertaining to the above appointments is on file in the office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item Nos. 9(a-d); 9/25/01, and is incorporated herewith as part of this record by reference.)

10. Receipt of Financial Report for the Period Ending August 31, 2001.

(A copy of the City Manager's memorandum dated September 19, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 9/25/01, and is incorporated herewith as part of this record by reference.)

END OF CONSENT CALENDAR

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilman Euille and carried unanimously by all those present, City Council adopted the Consent Calendar as presented with the exception of docket item nos. 11 and 12 which were considered under separate motions. The City Manager's recommendations are as follows:

8. City Council received the following resignation with regret: (a) Charles L. Cox from the Alexandria Commission on Aging; requested the Executive Secretary for Boards and Commissions to send the appropriate letter of appreciation and to advertise the vacancy in the usual manner.

9. City Council (a) appointed Raphael Semmes as a Professional Skilled in Architecture, William Hendrickson and Stephanie Sechrist as Members Representing the Potomac Yard Area, and Peter Collard, Jr., Boyd Walker and Maria Wasowski as Representatives of Residential Neighborhoods and the Business Community to the Alexandria Potomac Yard Design Advisory Committee; (b) appointed Robert Eiffert as a Representative from the City of Alexandria to the District Home Board; (c) reappointed William Dickinson, II as a Citizen Member to the Northern Virginia Regional Park Authority; and (d) reappointed Deborah Bombard as a Health Professional Member and Richard Merritt as a Non-Health Professional Member to the Alexandria Public Health Advisory Commission.

10. City Council received the Monthly Financial Report for the period ending August 31, 2001.

END OF CONSENT CALENDAR

The voting was as follows:

| | | | |
|--------|---------|-----------|-----------------|
| Pepper | "aye" | Cleveland | not yet arrived |
| Euille | "aye" | Eberwein | "aye" |
| Donley | "aye" | Speck | "aye" |
| | Woodson | "aye" | |

11. Authorization of Recommended Capital Project Allocations and Planned Expenditures.

(A copy of the City Manager's memorandum dated September 21, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 9/25/01, and is incorporated herewith as part of this record by reference.)

Councilwoman Eberwein removed this item from the consent calendar to inquire about the allocations for the Public Safety Building. General Services Director Mandley responded to her concerns. He participated in the discussion with Councilwoman Eberwein and Councilman Euille, as did the City Manager.

WHEREUPON, upon motion by Councilwoman Eberwein, seconded by Councilman Euille and carried on a vote of 5-to-0, City Council authorized the capital project allocations and planned expenditures for the capital projects as detailed in the Capital Improvement Expenditure Summary. The voting was as follows:

| | | | |
|----------|---------|-----------|-----------------|
| Eberwein | "aye" | Cleveland | not yet arrived |
| Euille | "aye" | Pepper | out of room |
| Donley | "aye" | Speck | "aye" |
| | Woodson | "aye" | |

12. Receipt of Annual Committee Attendance Report.

(A copy of the City Manager's memorandum dated September 11, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 9/25/01, and is incorporated herewith as part of this record by reference.)

Councilman Speck removed this item from the consent calendar to raise his concern about the number of appointed positions remaining vacant for long periods of time when members don't attend meetings, and if there is a mechanism to flag that person for replacement before a year goes by. Executive Secretary for Boards and Commissions Boyd explained that the requests which Council sees on its dockets periodically during the year asking Council to vacate a position are a result of requests from the board chair or staff.

Councilwoman Woodson participated in the discussion, raising her concerns that these were contested appointments, and when these appointees do not attend meetings, that leaves many interested citizens who apply and are not appointed to give up; and about the number of boards which did not submit attendance reports.

Mayor Donley directed the City Clerk to draft a letter for his signature to those board chairs who have not submitted their annual attendance reports, giving them until October 15 to submit them. This item will come back to Council at the second legislative meeting in October. He announced that this will be an annual practice of the Mayor to communicate with Council's appointees when they fail to submit their reports.

It was noted that the Budget and Fiscal Affairs Advisory Committee submitted its report after the list was issued, and the Capital Development Office Task Force completed its responsibilities and no longer functions. The Ad Hoc Carlyle/Patent and Trademark Office Livability Task Force report will be forthcoming.

WHEREUPON, upon motion by Councilman Speck, seconded by Councilwoman Eberwein and carried unanimously by all those present, City Council: (1) received the report; (2) vacated the 17 positions listed on pages one and two of the report; and (3) authorized the Executive Secretary for Boards and Commissions to advertise the vacancies. The voting was as follows:

| | | | |
|----------|---------|-----------|-----------------|
| Speck | "aye" | Cleveland | not yet arrived |
| Eberwein | "aye" | Euille | "aye" |
| Donley | "aye" | Pepper | "aye" |
| | Woodson | "aye" | |

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER (continued)

13. Consideration of Report of the Community Partnership Fund for Human Services Recommended Priorities for the FY 2003 Competitive Grant Cycle. (#15 9/15/01sm; #17 9/15/01phm)

(A copy of the City Manager's memorandum dated September 4, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 9/25/01, and is incorporated herewith as part of this record by reference.)

Councilman Euille stated that in light of the present economic situation, the committee reviewing these grants should be open-minded and provide some flexibility to ensure that those organizations that do apply, if they have specificity to a particular type of program or a new initiative, that that be taken into consideration as opposed to concluding that perhaps this is outside the purview of the requirements for the grant cycle.

Councilwoman Eberwein directed inquiries to City Manager Sunderland about the distribution of census data to various interested groups, specifically the Commission on Aging. The City Manager stated that some census data has been distributed, there is some breakdown by age, and that this will be gone into at the Council retreat. Councilman Euille also participated in the discussion.

WHEREUPON, upon motion by Councilman Euille, seconded by Councilwoman Pepper and carried unanimously by all those present, City Council approved maintaining the priorities that have served the Community Partnership Fund in the past year for the FY 2003 competitive grant cycle. The voting was as follows:

| | | | |
|--------|---------|-----------|-----------------|
| Euille | "aye" | Cleveland | not yet arrived |
| Pepper | "aye" | Eberwein | "aye" |
| Donley | "aye" | Speck | "aye" |
| | Woodson | "aye" | |

14. Consideration of Staff Recommendation on Brenman Park Drive in Ben Brenman Park.

(A copy of the City Manager's memorandum dated September 21, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 9/25/01, and is incorporated herewith as part of this record by reference.)

At 8:30 p.m., Vice Mayor Cleveland arrived during the discussion of this item.

Members of Council participated in discussion with the City Manager and Transportation and Environmental Services Director Baier.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilman Euille and carried unanimously, City Council: (1) received the report, which includes a preliminary recommendation that Brenman Park Drive continue in its current configuration as a two-way road open to vehicular traffic; and (2) requested the City Manager to: (a) obtain the views of the Cameron Station Civic Association, the Cameron Station Community Association and the Park and Recreation Commission on the report, and (b) provide a supplemental report at the second legislative meeting in November that addresses any issues raised by the associations and contains a final recommendation on whether Brenman Park Drive should continue in its current configuration as a two-way road open to vehicular traffic. The voting was as follows:

| | | | |
|--------|---------|-----------|-------|
| Pepper | "aye" | Cleveland | "aye" |
| Euille | "aye" | Eberwein | "aye" |
| Donley | "aye" | Speck | "aye" |
| | Woodson | "aye" | |

15. Report on the City's Response and How it Will Assist Following the Attack on the Pentagon and the World Trade Center.

(A copy of the City Manager's memorandum dated September 25, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 9/25/01, and is incorporated herewith as part of this record by reference.

A copy of the City Manager's memorandum dated September 21, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 15; 9/25/01, and is incorporated herewith as part of this record by reference.

A copy of the suggested order of discussion points on this item is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 15; 9/25/01, and is incorporated herewith as part of this record by reference.)

Presentations were made to Council from Human Services Director O'Regan, Assistant City Manager Jinks, Alexandria Convention & Visitors Association Director Mitchell, Alexandria Chamber of Commerce President Moore, and Alexandria Economic Development Partnership Executive Director Riley. These individuals answered questions and participated in an extensive discussion with Members of City Council.

The reports included: (1) Discussion on how the City, the state and federal governments, as well as the private sector, are responding in (a) the human services and financial support areas (unemployment compensation, disaster unemployment assistance), and (b) how citizens can respond; (2) Economic Impact on Alexandria; (3) Virginia Post-Attack Economic Response Task Force; (4) Resolution related to the reopening of Ronald Reagan National Airport; (5) Alexandria Convention and Visitors Association (ACVA) plan of action; and (6) Alexandria Economic Development Partnership (AEDP), Alexandria Chamber of Commerce, and Small Business Development Center (SBDC) plan of action (including discussion of SBA business loan program).

Councilman Euille requested that no later than the first of the year that staff report back to City Council on the financial impacts to the City so the budget can be adjusted as necessary.

Councilwomen Woodson and Pepper volunteered to serve as the City Council coordinators/liaisons in this effort, if needed.

WHEREUPON, upon motion by Councilman Euille, seconded by Councilwoman Pepper and carried on a unanimous ROLL-CALL vote, City Council received the report, thanked the Alexandria community for its generosity to date, and encouraged the continued support of those in need in our community. City Council adopted the resolution. The voting was as follows:

| | | | |
|--------|---------|-----------|-------|
| Euille | "aye" | Cleveland | "aye" |
| Pepper | "aye" | Eberwein | "aye" |
| Donley | "aye" | Speck | "aye" |
| | Woodson | "aye" | |

The resolution reads as follows:

RESOLUTION NO. 2007

WHEREAS, on September 11, 2001, the United States suffered tragic attacks from terrorists who flew hijacked planes into the World Trade Center and the Pentagon; and

WHEREAS, in response to these attacks, the Federal Aviation Administration closed all the nation's airports; and

WHEREAS, several days later, most airports were allowed to reopen with enhanced security measures; and

WHEREAS, only one major airport -- Ronald Reagan Washington National Airport -- has not been allowed to reopen; and

WHEREAS, the federal government has not indicated when the airport will be allowed to reopen; and

WHEREAS, the region's economy, and especially the economies of Alexandria, Arlington, and the District of Columbia, are very dependent on travelers who use the airport; and

WHEREAS, the airport generates over \$5 billion in economic activity annually, as well as \$2.1 billion in personal income; and

WHEREAS, the airport employs over 10,000 people directly and another 6,000 indirectly, while almost 70,000 visitor and tourist industry jobs in the region are dependent on the airport's continued operation; and

WHEREAS, there are over 600 taxicabs, with over 1000 drivers, licensed in the City, and these drivers have seen a sharp drop in their business as a result of the airport's closure; and

WHEREAS, the City's 22 hotels have seen their occupancy rates fall to less than half their normal rates since Reagan National Airport was shut down; and

WHEREAS, Ronald Reagan Washington National Airport is an indispensable asset that must be reopened as quickly as possible with appropriate security measures in place;

NOW, THEREFORE, BE IT RESOLVED that the Alexandria City Council supports the expeditious reopening of Ronald Reagan Washington National Airport with the appropriate security standards; and

BE IT FURTHER RESOLVED that copies of this resolution be transmitted to President George W. Bush and to the members of the region's congressional delegation.

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REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES

City Council considered docket item nos. 16 and 17 together and under one motion.

Board of Architectural Review Old and Historic Alexandria District

16. Public Hearing on and Consideration of an appeal of a decision of the Board of Architectural Review, Old and Historic Alexandria District, on July 18, 2001, denying a request for re-approval of a permit to demolish portions of a dwelling at 105 Quay Street, zoned RM Residential. APPLICANT: Arnold Fink & Barbara Palmer APPELLANT: Arnold B. Fink. **[CASE BAR2001-120] (#21 9/15/01sm)**

Board Action: Denied by roll-call vote, 3-2

17. Public Hearing on and Consideration of an appeal of a decision of the Board of Architectural Review, Old and Historic Alexandria District, on July 18, 2001, denying portions of a request for re-approval of alterations to be made to the dwelling at 105 Quay Street, zoned RM Residential. APPLICANT: Arnold Fink & Barbara Palmer. APPELLANT: Arnold B. Fink. **[CASE BAR2001-121] (#22 9/15/01sm)**

Board Action: Approved portions, denied portions, 3-2

(A copy of the Board of Architectural Review, Old and Historic Alexandria District, report dated September 11, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item Nos. 16 and 17; 9/25/01, and is incorporated herewith as part of this record by reference.

A copy of the appeal dated July 31, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item Nos. 16 and 17; 9/25/01, and is incorporated herewith as part of this record by reference.

A copy of the Old Town Civic Association's letter dated September 7, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item Nos. 16 and 17; 9/25/01, and is incorporated herewith as part of this record by reference.)

The following persons participated in the public hearing on these items:

Arnold G. Fink, 105 Quay Street, applicant and appellant, spoke in support of the appeals;

Mark S. Feldheim, 1215 Prince Street, on behalf of Old Town Civic Association, spoke in opposition to the appeals;

Lynn Neihardt, 825 South Fairfax Street, representing the Board of Architectural Review, Old and Historic Alexandria District, spoke in opposition to the appeals; and

Jon Wilbor, 310 South Lee Street, spoke against the appeals.

WHEREUPON, upon motion by Councilman Speck, seconded by Councilwoman Woodson, City Council upheld the appeals of the applicant and overturned the Board of Architectural Review. The voting was as follows:

| | | | |
|---------|-------|-----------|-------|
| Speck | "aye" | Cleveland | "aye" |
| Woodson | "aye" | Eberwein | "aye" |
| Donley | "aye" | Euille | "aye" |
| | Speck | "aye" | |

REPORTS BY MEMBERS OF CITY COUNCIL

(a) Councilwoman Pepper stated that she represents Council on the Council of Governments' Part One Fifty Study Advisory Committee to make recommendations on measures that would mitigate the impact of aircraft noise on nearby residential communities. She reported that this committee has been suspended, and it is not functioning at this time.

(b) Councilwoman Eberwein reported that the Alexandria Seaport Foundation has withdrawn its proposal with regard to the park on the waterfront at Windmill Hill. She stated that the Waterfront Committee met this morning where three plans were distributed, and she asked that the City Manager get them to Council. She expressed concern that with this withdrawal, some of the elements that Council tasked the task force to look at perhaps have fallen by the wayside. Recreation, Parks and Cultural Activities Director Whitmore responded to these concerns, and there was discussion of the educational component. City Council determined that it will let the process run its course.

ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL

(a) Councilman Speck reported there have been some very thoughtful letters in the newspaper about King Street Gardens Park. He stressed that there is no proposal to demolish the sculpture, and there has never been any suggestion that the bricks be removed. The purpose of the public hearing in October is to invite people from the community on both sides of the issue to comment on what they like or dislike about the completed project to give Council some rationale for a definitive decision about what to do further. Staff was requested to carefully craft the wording for this docket item to make this a positive and constructive exercise.

(b) Councilwoman Pepper acknowledged the gift of \$1000 that Councilman Euille has contributed in Council's honor to the Project Discovery, which has its Sixth Annual Walk for the Future this Saturday, September 29.

(c) Councilwoman Pepper announced there has been some comment about the water in the west end tasting musty. She explained that the Virginia-American Water Company responded to her that in the process of the "reservoir turnover," where the water on the top and the water on the bottom shift, you get musty water.

(d) Councilwoman Pepper reported that the "Cop in the Box" isn't always at the 10 designated intersections from 3:30 to 6:30 p.m. when officers are to patrol to keep cars from blocking traffic. Councilwoman Pepper stated that she would also like to see Quaker Lane and Duke Street have a police officer at that intersection.

(e) Councilwoman Pepper brought up that the City's red light photo enforcement program is different from San Diego's program where a judge threw out 300 photo red light tickets on the grounds that police there had misused the services of the company processing the citations by paying a percentage of the fines. She explained that Alexandria does use the same company; however, we pay a firm fee and a police officer reviews the charges.

(f) Councilwoman Eberwein noted that she continues to receive complaints about dogs running at large in parks. People are becoming afraid to use the parks and have stopped reporting violations because they see no enforcement by the City. She asked that staff come back to Council after taking a look at better enforcement and suggested that a substantial increase in the amount of the fine might be effective.

Mayor Donley and City Manager Sunderland participated in the discussion. Recreation, Parks and Cultural Activities Director Whitmore reported that there is a draft citation ready for City Manager approval and seven Park and Recreation staff have been trained. She advised that once those employees have been empowered to issue citations, this should help with enforcement in the parks. The City Attorney stated that the City's fine is a civil violation and fines can be raised if desired.

(g) Vice Mayor Cleveland apologized for his being late and to please bear with him as all law enforcement personnel are stretched almost to its limit.

ORDINANCES AND RESOLUTIONS

18. Public Hearing, Second Reading and Final Passage of AN ORDINANCE to amend Section 12-12-2 of the City Code to adopt an amendment to conform to the comprehensive services act regarding private provider membership on the Alexandria community policy and management team. (#24 9/15/01sm; #22 9/15/01phm)
[ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated August 31, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 18; 9/25/01, and is incorporated herewith as part of this record by reference.)

The Deputy City Clerk read the docket item.

It was noted that there were no speakers on this item; therefore, the public hearing was concluded.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilman Euille and carried on a unanimous ROLL-CALL vote, City Council finally passed the Ordinance upon its Second Reading and Final Passage. The voting was as follows:

| | | | |
|--------|---------|-----------|-------|
| Pepper | "aye" | Cleveland | "aye" |
| Euille | "aye" | Eberwein | "aye" |
| Donley | "aye" | Speck | "aye" |
| | Woodson | "aye" | |

The ordinance finally passed reads as follows:

ORDINANCE NO. 4219

AN ORDINANCE to amend and reordain section 12-12-2 (COMPOSITION; APPOINTMENT; TERMS AND COMPENSATION OF MEMBERS; FILLING VACANCIES), of Chapter 12 (ALEXANDRIA COMMUNITY POLICY AND MANAGEMENT TEAM) of Title 12 (EDUCATION, SOCIAL SERVICES AND WELFARE) of The Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 12-12-2 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained to read as follows:

Sec. 12-12-2 Composition; appointment; terms and compensation of members; filling vacancies.

The community policy and management team created by section 12-12-1 shall consist of nine members. Six of the nine members shall be the following public officials or the designees of such officials: a member of city council, the city manager, the executive director of the Alexandria community services board, the director of the Alexandria juvenile court services unit, the director of the city's department of health, the director of social services within the city's department of human services, and the superintendent of schools. The remaining three members of the team shall be a representative of a private organization or association of providers of children's or family services which provides such services within the city on a continuing and

consistent basis, and two parent representatives; provided, that a person who is employed by a public or private program which receives funds pursuant to the Comprehensive Services Act, Virginia Code § 2.1-745 et seq., or by an agency represented on the team may serve as a parent representative only if the person does not, as a part of such employment, interact directly on a regular and daily basis with children or supervise employees who interact directly on a daily basis with children; provided further, that the foregoing restriction regarding a parent representative shall not apply to foster parents. All members of the team shall be appointed by city council and shall serve for a term of two years; provided, that the private provider representative and the parent representative members shall be appointed by council, upon the recommendation of the public official members of the team. All members of the team shall file the financial disclosure form required by section 2-5-11 of this code, and their filing shall be in accordance with the provisions of said section. Any vacancy occurring in the provider representative or parent representative positions on the team shall be filled for the balance of the unexpired term in the same manner as original appointments to such positions are to be made. Members of the team shall serve without compensation, but may receive such reimbursement for expenses as city council may allow.

Section 2. That this ordinance shall become effective upon the date and at the time of its final passage.

* * * * *

OTHER

19. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated September 21, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 19; 9/25/01, and is incorporated herewith as part of this record by reference.)

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Vice Mayor Cleveland and carried unanimously, City Council: (1) received the updated calendar, as amended, which includes the following events: Wednesday, October 10, Walk to Fight Breast Cancer Sponsor Appreciation breakfast from 7:30 to 9:30 a.m. at the Campagna Center, 418 South Washington Street; Sunday, October 14 - Tuesday, October 16, Annual Virginia Municipal League Conference in Virginia Beach, Virginia; and Monday, December 3 (changed from Tuesday, December 4), at 7:30 p.m., the T.C. Williams High School Commemoration of the 30th anniversary of the State Championship and celebrating integration at T.C. Williams High School; and (2) confirmed that Council's annual retreat will be held on Saturday, November 3, a one-day event, from 8:00 a.m. to 4:00 p.m. in the Catherine Lodge at the Winkler Botanical Preserve. The voting was as follows:

| | | | |
|-----------|-------|----------|-------|
| Pepper | "aye" | Eberwein | "aye" |
| Cleveland | "aye" | Euille | "aye" |
| Donley | "aye" | Speck | "aye" |
| | | Woodson | "aye" |

CONTESTED APPOINTMENTS

None

EXECUTIVE SESSION

20. Consideration of The Convening of an Executive Session to Discuss Personnel Matters Pertaining to a Settlement of a Worker's Compensation Claim, Pursuant to Virginia Code Section 2.1-344(A)(7).

WHEREUPON, upon motion by Councilwoman Woodson, seconded by Vice Mayor Cleveland and carried unanimously, at 10:47 p.m., City Council convened an executive session at this time pursuant to Section 2.1-344(A)(7) of the Code of Virginia, for the purpose of consulting with legal counsel concerning a claim pending before the Virginia Worker's Compensation Commission, styled Flynn v. City of Alexandria. The voting was as follows:

| | | | |
|-----------|-------|----------|-------|
| Woodson | "aye" | Eberwein | "aye" |
| Cleveland | "aye" | Euille | "aye" |
| Donley | "aye" | Pepper | "aye" |
| | Speck | | "aye" |

THEREUPON, upon motion by Councilman Speck, seconded by Councilman Euille and carried unanimously, at 10:55 p.m., City Council reconvened its meeting of this date which was recessed for the purpose of conducting an executive session. The voting was as follows:

| | | | |
|--------|---------|-----------|-------|
| Speck | "aye" | Cleveland | "aye" |
| Euille | "aye" | Eberwein | "aye" |
| Donley | "aye" | Pepper | "aye" |
| | Woodson | | "aye" |

WHEREUPON, upon motion by Councilwoman Woodson, seconded by Vice Mayor Cleveland and carried unanimously, City Council authorized the City Attorney to settle the Worker's Compensation Claim which was the subject of the executive session, along the lines discussed with City Council. The voting was as follows:

| | | | |
|-----------|-------|----------|-------|
| Woodson | "aye" | Eberwein | "aye" |
| Cleveland | "aye" | Euille | "aye" |
| Donley | "aye" | Pepper | "aye" |
| | Speck | | "aye" |

THEREUPON, upon motion by Councilwoman Woodson, seconded by Vice Mayor Cleveland and carried on a unanimous ROLL-CALL vote, City Council adopted the resolution pertaining to the executive session. The voting was as follows:

| | | | |
|-----------|-------|----------|-------|
| Woodson | "aye" | Eberwein | "aye" |
| Cleveland | "aye" | Euille | "aye" |
| Donley | "aye" | Pepper | "aye" |
| | Speck | | "aye" |

The resolution reads as follows:

RESOLUTION NO. 2008

WHEREAS, the Alexandria City Council has this 25th day of September 2001, recessed into executive session pursuant to a motion made and adopted in accordance with the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the city council that such executive session was conducted in accordance with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the city council does hereby certify that, to the best of each member's knowledge, only public business matters that were identified in the motion by which the executive session was convened, and that are lawfully exempted by the Freedom of Information Act from the Act's open meeting requirements, were heard, discussed or considered by council during the executive session.

* * * * *

THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED, upon motion by Councilwoman Woodson, seconded by Vice Mayor Cleveland and carried unanimously, at 10:57 p.m., the Regular Meeting of September 25, 2001, was adjourned. The voting was as follows:

| | | | |
|-----------|-------|----------|-------|
| Woodson | "aye" | Eberwein | "aye" |
| Cleveland | "aye" | Euille | "aye" |
| Donley | "aye" | Pepper | "aye" |
| | | Speck | "aye" |

* * * * *

APPROVED BY:

KERRY J. DONLEY **MAYOR**

ATTEST:

Susan K. Seagroves, Deputy City Clerk